IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 1822, 1823, 1827 to 1829 & 1833 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SPECIAL LAND ACQUISITION OFFICER

Versus

RAVJIBHAI CHHOTABHAI PATEL

Appearance:

MR PK SHUKLA AGP for Appellant Nos. 1 & 2.

MR BP BHATT for Appellant No.3

MR YN RAVANI for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 02/05/2001

COMMON (ORDER) JUDGEMENT

Heard Mr. P.K.Shukla learned AGP for appellant nos. 1 and 2; Mr. B.P.Bhatt learned advocate for appellant no.3 and Mr. Y.M.Ravani learned advocate for

respondents in each of the matter.

Appeals are admitted and on joint request of learned advocate of the respective parties, the above stated appeals are taken up for final hearing. As the subject matter of the above stated appeal being cognate, all the appeals are heard together and are being disposed of by this common judgement.

2. These are the appeals filed by the appellant State of Gujarat and the Executive Engineer, Narmada Project, Canal Section, Bharuch under Section 54 of the Land Acquisition Act read with Section 96 of the Civil Procedure Code so as to challenge the common judgement and award passed by the Reference Court under Section 18 of the Act as stated in the respective appeal memo of the above stated appeal.

3. Looking to the facts and circumstances as apparent from the material produced on record, the impugned judgement and award do not merit any interference in these appeals on the ground that impugned judgement and award does not exceed the amount of Rs. 25,000/- which has been quantified as a petty claim in the context of land acquisition matter and this Court has consistently followed the practice not to interfere into the merits of appeal wherein claim involved is a petty claim. That in the present case, no question of law or principles has been urged.

4. In view of the above stated fact and circumstances, appeals are summarily dismissed without entering into the merits of the matter on the ground that it represents petty claim.

5. Mr. P.K.Shukla learned AGP has stated at bar that despite a communication made, the amount could not be deposited before the Trial Court on account of strike of Revenue staff in the office of Collector at Bharuch.

Mr. B.P.Bhatt learned advocate representing appellant no.3 has stated at bar that the amount of impugned judgement and award with accrued interest, solatium and costs shall be deposited in the Trial Court in respect to each of the matter within a period of four weeks hereof.

6. The Trial Court is directed to disburse the amount to the respective claimants on amount being deposited by the appellant no.3.

(A.K.Trivedi,J.)

(vipul)